



## OFFICE OF THE FIRST SELECTMAN

**Michael R. Criss**  
**First Selectman, Town of Harwinton**

### ***HOUSING COMMITTEE***

February 28<sup>th</sup>, 2023

Good afternoon, my name is Michael R. Criss, I am the First Selectman for the Town of Harwinton and I am submitting testimony regarding H.B. 6633 "An Act Concerning a Needs Assessment and Fair Share Plans for Municipalities to Increase Affordable Housing".

#### **H.B. 6633 "An Act Concerning a Needs Assessment and Fair Share Plans for Municipalities to Increase Affordable Housing".**

Thank you for the opportunity to comment and submit testimony on proposed bill "An Act Concerning a Needs Assessment and Fair Share Plans for Municipalities to Increase Affordable Housing". The Town of Harwinton is opposed to H.B. 6633.

The Town of Harwinton *opposes* HB-6633 – An Act Concerning a Needs Assessment and Fair Share Plans for Municipalities to Increase Affordable Housing, which will impose an overreaching, costly burden on municipalities and undermine existing efforts to address affordable housing.

**Municipalities** are already required to prepare an Affordable Housing Plan and update the plan every five years under Sec. 8-30j, CGS. As part of this effort, municipalities must perform a housing needs assessment and consider the role of local and regional housing market conditions on affordable housing development.

To help communities develop meaningful plans, the state Department of Housing (DOH) released an Affordable Housing Guidebook in December 2020, which includes information on how to evaluate local land use and zoning laws to identify barriers to affordable housing development, engage communities in planning efforts, and implement a communications strategy to support the development and implementation of the plan. DOH also made technical assistance grants available to municipalities to support the development of the plans.

Municipalities and regional Councils of Government are devoting significant time and resources in performing affordable housing needs assessments and developing and updating plans, which will provide municipalities with a strong foundation for supporting more affordable housing to meet the needs of their communities, which is not a one size fits all approach.

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Further, the Commission's Affordable Housing Plan Working Group which has recently finalized its recommendations relative to affordable housing plans, which considered and rejected inclusion of a "fair share housing" mandate.

HB-6633 undermines existing affordable housing planning efforts by:

- Imposing a top-down process for determining local housing needs which fails to fully consider barriers to housing development, including insufficient water and sewer capacity, and environmentally sensitive lands, such as watershed lands and wetlands.
- Subjecting municipalities to legal action from developers, housing advocates and others to determine if the municipality is in compliance with the bill's "fair share" housing goals, which may be unattainable due to land use conditions.
- Subjecting municipalities to court orders from developers using state construction subsidies to mandate local planning or zoning approval.
- Layers the Fair Share Housing mandate on top of other affordable housing laws, including the Affordable Housing Appeals Act, 8-30g, and the Affordable Housing Plan requirement, 8-30j, creating a burdensome and confusing overlap of laws that will pose significant compliance questions.
- Circumvents the Blue Ribbon Committee's findings which admitted a one size fits all approach does not work and rural areas must protect natural resources in order to have sustainable urban centers.

Instead of imposing another complex, costly mandate on municipalities, Harwinton, COST and the NWHCOG urges lawmakers to examine the efficacy of New Jersey's Fair Share Housing law and determine whether it has been at all successful in advancing affordable housing and the extent to which it has imposed unworkable requirements and compliance burdens on municipalities.

### **Harwinton urges lawmakers to OPPOSE HB-6633.**

Thank you for allowing me to submit testimony in opposition of H.B. 6633 on behalf of the Town of Harwinton. If you have any further questions, please feel free to contact me at any time.

Michael R. Criss  
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